

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMAR L. TRAVILLION,

Plaintiff,

v.

LAUREL HARRY, *et al.*,

Defendants.

No. 4:23-CV-01335

(Chief Judge Brann)

**ORDER**

**AND NOW**, this 20<sup>th</sup> day of December 2023, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's complaint (Doc. 1) is **DISMISSED** in part, as follows:
  - a. Plaintiff's First Amendment retaliation claims are **DISMISSED** without prejudice as to all Defendants except Sharon Clark pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
  - b. Plaintiff's Eighth Amendment failure-to-protect claims are **DISMISSED** without prejudice as to all Defendants pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
  - c. Plaintiff's unconstitutional policy or custom claims are **DISMISSED** without prejudice as to all Defendants pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
  - d. Plaintiff's official capacity claims are **DISMISSED** as to all Defendants pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted and pursuant to 28 U.S.C. § 1915A(b)(2) for seeking monetary relief from a defendant who is immune from such relief.

2. Plaintiff, if desired, may file an amended complaint in accordance with the accompanying Memorandum within 21 days of the date of this Order.
3. If no amended complaint is timely filed, this case will proceed on Plaintiff's First Amendment retaliation claim against defendant Sharon Clark (in her individual capacity) only.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge